



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Ap	plication of: Jean-Jacques Codani et al.	)
Applicat	ion No: 10/723,522	) Art Unit: 1645
Filed:	November 26, 2003	) Confirmation No.: 8678
For:	SYSTEMS AND METHODS FOR SEQUENCE COMPARISON	Examiner: Not yet known )

## **CERTIFICATE OF MAILING/TRANSMISSION**

I hereby certify that the correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 16, 2006.

Katelyn Nelson

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97 (e)(1)

Pursuant to 37 C.F.R. § § 1.56 and 1.97(e), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form SB/08. Pursuant to 37 C.F.R. § 1.98 (2)(i), Applicants have not enclosed copies of the cited U.S. patents or publications. The information contained in the Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Applicants have listed dates of publication on the attached PTO-1449 for the cited documents based on information presently available to the undersigned. However, the listed publication dates should not be construed that the information in the cited documents was actually published or otherwise publicly available on the date indicated.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form 1449. This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that each or all of the listed documents are material or constitute "prior art." Further, if the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Moreover, the Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Under 37 C.F.R. § 1.97 (b)(3), this Supplemental Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits; therefore, no fee is believed to be due in connection with this submission. However, the Commissioner is authorized to charge any deficiencies or credit any overpayment to/from our Deposit Account, No. 06-1448, Reference GIO-001.01.

Respectfully submitted,

Date: March 16, 2006 Customer No: 25181

Patent Group Foley Hoag, LLP 155 Seaport Blvd. Boston, MA 02210-2600

Tel. No. (617) 832-1746

Agent for Applicant

Fax. No. (617) 832-7000

Theresa C. Kavanaugh, Reg. No. 50,356

PTO/SB/08a/b (07-05)

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Substitute for form 1449A/B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known				
Application Number	10/723522-Conf. #8678			
Filing Date	November 26, 2003			
First Named Inventor	Jean-Jacques Codani			
Art Unit	1645			
Examiner Name	Not Yet Assigned			
Attorney Docket Number	GIO-00101			

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2</sup> ( if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

	FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>4</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Niting of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Initials No 1 magazine, journal, serial, symposium, catalog, etc.), date, page(		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	<b>T</b> <sup>2</sup>	
	СС	Bakali, Amin, "Bioinformatics for protein sequence, structure and function," Sequence Alignments and Database Searches, XP002360517, pp. 1-8		
	CD	Dawson, K.P., "FastGroup: A program to dereplicate libraries of 16S rDNA sequences," BMC Bioinformatics, 'Online' vol. 2, no. 9, 16 October 2001, XP-002360518		
	CE	Swartz et al., "PipMaker - A Web Server for Aligning Two Genomic DNA Sequences," Genome Research, 'Online' vol. 10, no. 4, April 2004, pp. 577-588 XP-02360519		
	CF	Brenner et al., "Assessing sequence comparison methods with reliable structurally identified distant evolutionary relationships," Proc. Natl. Acad. Sci., USA, 95:6073-6078 (1998)		

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	Date
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<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.